

IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN
DISTRICT OF TEXAS AMARILLO DIVISION

CLERK US DISTRICT COURT
NORTHERN DIST. OF TX
FILED

2012 JUL -6 AM 11:08

DEPUTY CLERK

STEVEN MICHAEL BACKSTROM, α

PRO SE, TDCJ No 1657938 α

Plaintiff α

2:12-CV-0116

v.

Rick Thayer, Et AL, α

Defendants α

RESPONSE TO COURT'S RECOMMENDATION

ON JUNE 12, 2012, Plaintiff submitted this legal complaint. Inclusive was a standard 1983 packet, memorandum, and a number of supporting documents/exhibits.

ON MAY 19, 2012 Plaintiff received a document that once signed and submitted, would transfer jurisdiction to a Magistrate Judge. This document was not signed of/by Plaintiff authorizing any jurisdictional transfer.

ON MAY 17th, 2012, Plaintiff received an order from this Court disavowing Plaintiff's clearly outlined memorandum and exhibits and forcing him to reapply using only the provided 1983 packets with the availability of a few additional pages.

This matter is complex and convoluted and Plaintiff's memorandum w/exhibits is NECESSARY to satisfy the issues.

On June 26, 2012, Magistrate Averitte issued his AXIOMATIC "DENIAL" RECOMMENDATION of all claims; however, had he allowed Plaintiff's complete complaint, he would have been unable to justify this denial. Example: Pp 4, Clements Unit, like a small city, ..., Exhibit 1 clearly shows that the sleep interruptions ARE NOT consistent; therefore proving that MAIL DOES NOT HAVE to be issued after 10:30pm (The mail room closes at 5:00pm) NOR do any of the other REASONS... MEAL CARD and lay-in's ETC.

Example 2: Pp 5, plaintiff did not show that def. Adams has personal knowledge as to plaintiff's sleep deprivation. This is untrue, SEE Exhibit 9, GRIEVANCE form - two signed by Mr. Adams acknowledging plaintiff's complaints. As well other GRIEVANCES follow because nothing has changed.

Conclusion

Plaintiff is asking the Honorable District Judge to Review Plaintiff's complaint in its ENTIRETY including his clearly outlined MEMOR.

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ANDUM w/EXHIBITS there/ issue her Findings
AND Conclusion based upon the facts,

PRAYER.

Plaintiff prays this Honorable Court will, at
the very least, issue an EVIDENCIARY hearing
so as to expose the truth about the issues
at hand.

Certificate of Service

Under penalty of perjury plaintiff swears
the fore written facts and statements ARE
true and correct

Signed this 4th day of July, 2012

Respectfully Submitted,



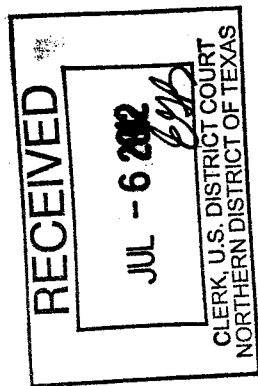
Steven M. Backstrom 1657938

Clements Unit 4E-11t

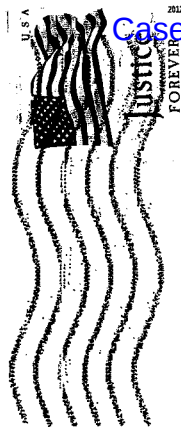
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